

#35

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re patent of:

NI *et al.*

Patent No. 6,342,363

Issued: January 29, 2002

For: **Death Domain Containing
Receptor-4 Nucleic Acids and
Methods**

Art Unit: 1646

Examiner: Kaufman, C.M.

Atty. Docket: 1488.1300002/EKS/EJH

**Petition Under 37 C.F.R. § 1.183 For
Correction of Assignee's Name After Issuance**

RECEIVED
JUN 09 2003

OFFICE OF PETITIONS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop DAC

Sir:

Pursuant to MPEP § 1481, Patentees petition that the requirements of 37 C.F.R. § 3.81 be waived to allow Patentees to correct Patentees' error in providing the name of the Assignee that is listed on the issued patent. The name of the Assignee that Patentees provided in item 5 of the issue fee transmittal form PTOL-85(b) was inaccurate due to an inadvertent clerical error. A "Request for a Certificate of Correction" under 37 C.F.R. § 1.323 is attached hereto.

If this Petition is granted, Applicants respectfully request that the file be forwarded to the Certificates of Correction Branch for issuance of a Certificate of Correction.

The issued patent lists "Human Genome Sciences, Inc., Rockville, MD (US)" as the assignee in item (73). In the attached Request for Certificate of Correction, we respectfully request that the co-assignee, "The Regents of the University of Michigan, Ann Arbor MI (US)" be added under item (73). The address of The Regents of the University of Michigan is 3003 South State Street, Ann Arbor, MI 48109-1274. The assignment is recorded at Reel

9653, Frame 71. A copy of the Notice of Recordation of Assignment Document, along with the Assignment is attached.

Accordingly, the naming of Human Genome Sciences, Inc. as the sole assignee was in error and the co-assignee is The Regents of the University of Michigan. This Petition is accompanied by payment of \$ 130.00 for the petition fee set forth in 37 C.F.R. § 1.17(h). The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Attorney for Patentees
Registration No. 42,613

Date: June 4, 2003

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MARCH 31, 1999

HUMAN GENOME SCIENCES, INC.
A. ANDERS BROOKES
9410 KEY WEST AVENUE
ROCKVILLE, MARYLAND 20850

PTAS



100928126A



APR 06 1999

KKH

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/31/1998

REEL/FRAME: 9653/0071
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PAN, JAMES G.

DOC DATE: 03/04/1998

ASSIGNOR:

DIXIT, VISHVA M.

DOC DATE: 03/13/1998

ASSIGNEE:

MICHIGAN, THE REGENTS OF THE
UNIVERSITY OF
3003 SOUTH STATE STREET
ANN ARBOR, MICHIGAN 48109-1274

SERIAL NUMBER: 09013895

PATENT NUMBER:

FILING DATE: 01/27/1998
ISSUE DATE:

9653/0071 PAGE 2

SHARMALLA COATES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned, hereby sell, assign and transfer to Human Genome Sciences, Inc. ("Assignee") having a place of business at 9410 Key West Avenue, Rockville, MD 20850, its successors, assigns and legal representatives, his entire right, title and interest for the United States and all other countries, in and to the improvements(s) known as:

Death Domain Containing Receptor-4

for which application(s) for United States Letters Patent has (have) been executed by the undersigned on 2/19 & 25/98 also known as United States Application Serial No. 09/013,895, filed January 27, 1998 and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all other countries on any of said improvements, and in and to all original and reissued patents which have been or shall be issued in the United States and all other countries on said improvements (hereinafter collectively, the "Patent Rights").

The undersigned further agrees that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and, when requested, without charge to but at the expense of Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on all such improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives all facts known to the undersigned relating to said improvements and the history thereof; and do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patent and all patents on said improvements in Assignee, its successors, assigns and representatives.

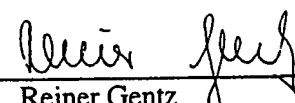
The undersigned hereby represents and warrants to Assignee, its successors, assigns and representatives that no assignment, grant, mortgage, license or other right or agreement affecting the rights and property herein conveyed has been made to others by the undersigned and that full right to convey the same as expressed herein is possessed by the undersigned.

The undersigned hereby grants the power to Robert H. Benson (Reg. No. 30,446), A. Anders Brookes (Reg. No. 36,373) and James H. Davis (Reg. No. 40,582) of Human Genome Sciences, Inc., 9410 Key West Avenue, Rockville, Maryland, 20850 to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, this Assignment is executed by the undersigned on the dates opposite their signatures:

Inventor's Signature:  Date: 2/19/98
Jian Ni

Inventor's Signature:  Date: 2/25/98
Craig Rosen

Inventor's Signature:  Date: 2-19-98
Reiner Gentz

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned, **James G. Pan** and **Vishva M. Dixit** hereby sell, assign and transfer to **The Regents of The University of Michigan (Assignee)** having a place of business 3003 South State Street, Ann Arbor, MI 48109-1274, its successors, assigns and legal representatives, his entire right, title and interest for the United States and all other countries, in and to the improvements(s) known as:

Death Domain Containing Receptor-4

for which applications for United States Letters Patent has (have) been executed by the undersigned on 3/4 & 13/98 also known as United States Application Serial No. 09/013,895, filed January 27, 1998 and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all other countries on any of said improvements, and in and to all original and reissued patents which have been or shall be issued in the United States and all other countries on said improvements (hereinafter collectively, the "Patent Rights").

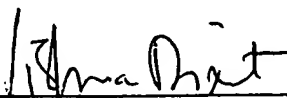
The undersigned further agrees that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and, when requested, without charge to but at the expense of Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on all such improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives all facts known to the undersigned relating to said improvements and the history thereof; and do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patent and all patents on said improvements in Assignee, its successors, assigns and representatives.

The undersigned hereby represents and warrants to Assignee, its successors, assigns and representatives that no assignment, grant, mortgage, license or other right or agreement affecting the rights and property herein conveyed has been made to others by the undersigned and that full right to convey the same as expressed herein is possessed by the undersigned.

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IN WITNESS WHEREOF, this Assignment is executed by the undersigned on the date(s) opposite their signature(s):

Inventor's Signature:  Date: March 4/98
James G. Pan

Inventor's Signature:  Date: March 8/98
Vishva M. Dixit